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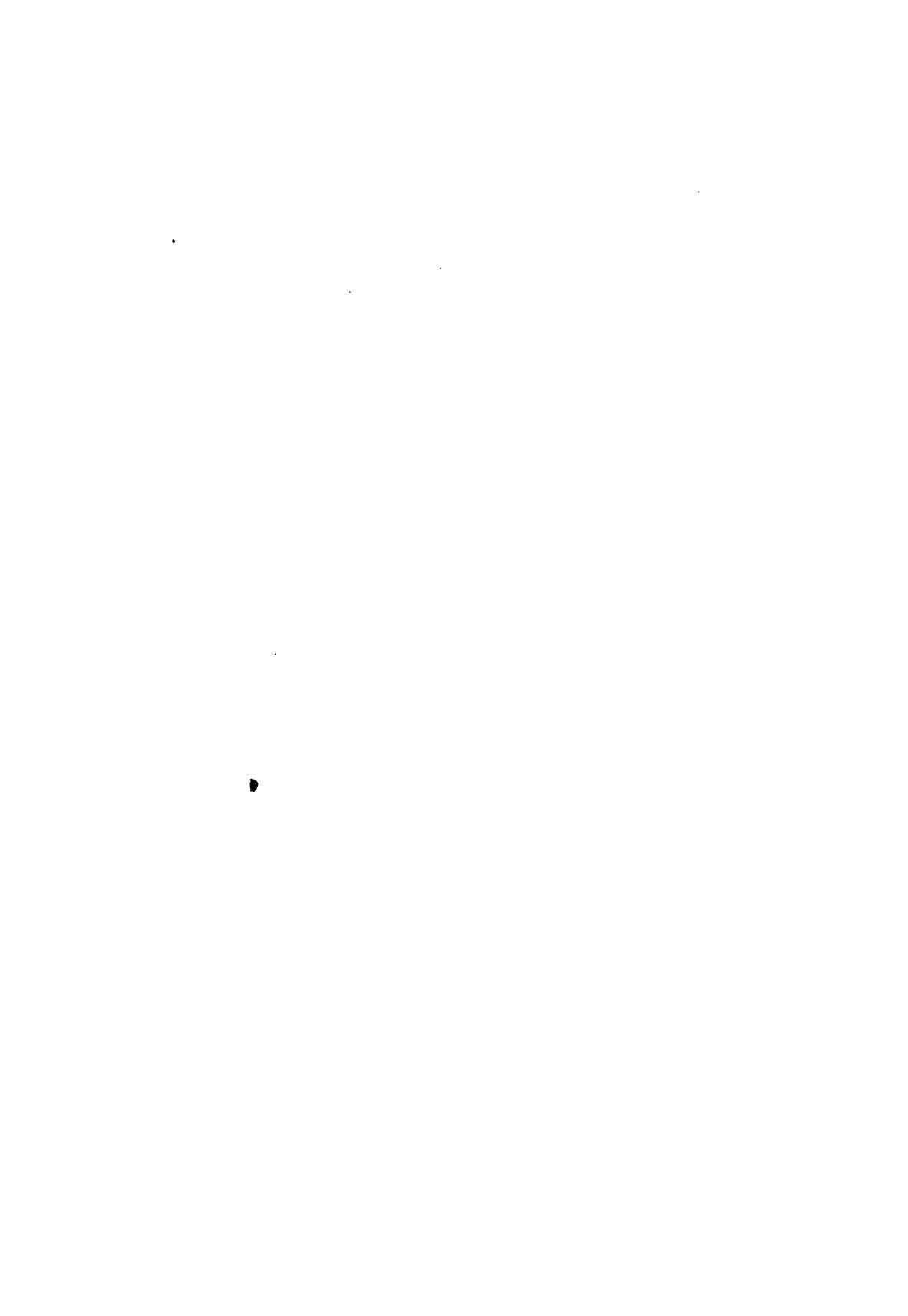
Davis.- Chinese Immigration. 1878.

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CHINESE IMMIGRATION.

S P E E C H

OF

HON. HORACE DAVIS,
OF CALIFORNIA,

IN THE

HOUSE OF REPRESENTATIVES,

J U N E 8, 1878.

WASHINGTON.
1878.

U S 6419.10



Fine money

S P E E C H
OF
H O N . H O R A C E D A V I S .

The House being in session for general debate—

Mr. DAVIS, of California, said :

Mr. SPEAKER : The question of Chinese immigration is regarded by the people of California with an intense interest of which citizens on this side of the continent have but little conception. Twenty-eight years ago the pioneer Chinaman was welcomed with an eager curiosity, but with no foresight of the eventful consequences of his coming. To-day, he is found in every village, in every mining camp, utterly an alien in the body-politic, and like some foreign substance in the human body, breeding fever and unrest till that system is relieved of its unwelcome presence. On the question of restricting his coming our community is almost a unit; except a few men who profit by his cheap labor, the sentiment of the people is nearly unanimous. It includes both political parties, all nationalities, all classes of the community.

The anti-Chinese societies include every nationality ; both political parties have repeatedly expressed the same views on this subject in legislative enactments as well as in political platforms, and the sober sentiment of religious men is well expressed in a resolution unanimously adopted at the general association of the Congregational churches, October 9, 1877 :

Resolved, That we express it as our conviction that the Burlingame treaty ought to be so modified and such other just measures be adopted by the General Government as shall restrict Chinese immigration, and shall especially prevent the importation of Chinese prostitutes and so relieve us from impending peril to our republican and Christian institutions.

In the city of San Francisco, my own home, this opposition is most keenly felt, as the body of Chinese is larger there than at any other point in the United States ; and many thousands of unemployed men say with great bitterness that but for their presence work and bread would be plenty. For months past life and property have been threatened by this agitation, and to the wisdom of Congress we appeal to grant us that quiet and relief which our own Legislature has no power to give us.

Believing, as I do, that the indifference of Congress on this subject has arisen mainly from a lack of knowledge concerning the Chinese, I will ask your candid attention while I describe their social condition in California. I will then show you, first, that the presence of so large a foreign body unable or unwilling to assimilate to our ways renders them a dangerous element to society and a grave peril to the State; second, that their presence is a menace to free labor; and lastly, that the experience of other countries in dealing with this class of immigrants gives us no reason to hope for any change in these respects.

CHINESE QUARTER OF SAN FRANCISCO.

The Chinese quarter of San Francisco occupies from seven to eight small blocks in the heart of the city, in which are densely packed about twenty thousand human beings, which form two-thirds of its Chinese population. To pass into this quarter from the adjoining streets is like entering a foreign country. The streets are thronged with men in foreign costume; the buildings are decorated with strange and fantastic ornaments; the signs and advertisements are in queer, mysterious characters; the objects exposed for sale are new and strange; the ear hears no familiar sound, but is assailed with an incomprehensible jargon, and the very smells that pour from the cellars and open doors are utterly foreign and marvelous.

You wonder at the entire absence of females among these people and you find on inquiry that except a few wretched prostitutes this entire mass is composed of adult males. If you enter a house it is thronged with men; no women, no children, no family relation; everywhere crowds of men. In the lodging-houses they are stowed like steerage passengers in a ship; each room is packed full from floor to ceiling with berths, full of lodgers, but all adult males.

Their social organization rests upon what is called the "Six Companies," associations, each including all the immigrants from a certain district in China and each presided over by Chinese merchants of San Francisco. To some one of these companies is consigned every Chinaman coming to this country.

CHINESE IMMIGRATION, MOSTLY CONTRACT LABOR.

Some of this emigration is purely voluntary, being composed of California Chinamen returning to try their fortunes again in the "Golden Mountains," and perhaps bringing with them friends or relatives; but far the larger part, I am convinced, has been and is contract labor.

Says Consul Boker, writing from San Francisco to the British government, in 1875:

The general idea is that the six companies control immigration in every way; but, as far as I can learn, they do so only to a very limited extent. The six companies do not furnish means to enable Chinamen to come to this country. The necessary funds are supplied by parties making a regular business of it, who charge 250 per cent. for a loan if unsecured or 2 per cent. per month with tangible security.

Wealthy Chinese houses in Hong-Kong are employed in this business of collecting and shipping over these men. They send their agents to the densely crowded districts to pick up needy and desperate persons, to whom any change is a blessing, who are easily allure by promises of high wages in California.

To insure repayment of the passage-money and all charges, the Chinaman's labor is pledged for a term of years in advance or until the debt is worked out, and as security he mortgages his wife and children, or perhaps his relatives pledge themselves as security for the payment of the debt. Arriving in California he is taken in charge by the company to which he is consigned, who thenceforth receive the net proceeds of his labor till the debt is paid. When he wishes to return, no Chinaman, unless he be one of the very few who have joined the Christian churches, can obtain a passage to Hong-Kong on any vessel without a permit from the "Six Companies," who can thus enforce fulfillment of all these contracts, for no Chinaman ever abandons the hope of returning some day to the tombs of his fathers.

Rev. Otis Gibson, of the San Francisco Chinese Mission, in his work entitled Chinese in California, page 21, gives the following table,

taken from the registers of the "Six Companies," as representing all the Chinese in America, April 1, 1876:

Ning Yung Company	75,000
Hep Wo Company	34,000
Kong Chow Company	15,000
Yung Wo Company	12,000
Sam Yup Company	11,000
Yan Wo Company	4,300
Total	151,300

To these are to be added, I suppose, about six thousand women, of whom Rev. Mr. Gibson says, page 134 :

More than nine-tenths have been sold into a hopeless bondage worse than death. The women are bought in China and shipped across the ocean to this Christian land, to be sold again to minister to the lusts of wicked men for the profit of their more wicked masters.

I will not quote further from his description of this dreadful trade. In justice to the better class of Chinese merchants I will say here they have opposed this infamous traffic in girls, which has been conducted by a secret association known as the "Hip Yee Tong," a society strong enough to defy our laws and keep these poor creatures in slavery.

There are many other associations among the Chinese in California, prominent among which are the clubs or guilds of workmen, which exercise a controlling influence over their members, holding them in awe and subjection. I have no time to discuss here the moral aspects of these matters. The Chinese merchants are men of integrity and uprightness in their dealings, and the mass of laborers are industrious and frugal; while on the other hand the alleys of the Chinese quarter disclose forms and depths of vice and degradation without a parallel in America.

POLITICAL ELEMENTS OF THE PROBLEM.

The political problem presents the following elements: a mass of adult males, forming in California already two-fifths of our adult male population, utterly foreign, devoid of all sympathy with our country or its institutions, having no family relations or permanent home, enrolled under the vigilant watch of their "Six Companies," who hold a large part of them in the bondage of a temporary peonage. Let us examine some of the consequences.

And, in the first place, this persistent fondness with which the Chinamen cling to their nationality and separate themselves from other men, their incapacity to change their ways and adapt themselves to their surroundings—this alone renders them most undesirable immigrants, and it has been and is to-day, always and everywhere, their most marked trait.

They are the most conservative of men. Arriving at their present form of civilization many centuries ago, their development seems to have been arrested and ages of uniformity have fixed the type. And this rigidly crystallized national sentiment has nothing in sympathy with the social and political thought of a free people. Their social life degrades womanhood, and allows the mortgage and sale of the persons of both men and women, while their political aspirations are limited to a paternal despotism, with no conceptions of a popular government.

So they were born, and so they always remain. In California they are the same as they were twenty-five years ago. Nor is this surprising when we consider that although the aggregate number is

steadily increasing the individual members of it are constantly changing. They remain only five or ten years, long enough to make a few hundred dollars, a competence in China, and then return home to spend the remainder of their days. They bring no wives; they have no families and no permanent residence, and are essentially nomadic. No better evidence can be given of the folly of expecting any material change than the ill-success of the missionary efforts among them. The testimony of the missionaries themselves records only two hundred and fifty or three hundred converts as the fruits of twenty-five years of self-devoting labor among them in all the churches.

Over against this picture I hardly need to draw that of the European immigrant. He comes to this country to settle for life. He brings with him his wife and children. He adopts our language, mingles with our people, and becomes an American. And even if with the first generation the love of the fatherland strives with his affection for his new home, the next generation become American citizens. But with the Chinese the so-called immigration is simply an ebb and flow from the shores of Asia of a tide of men hopelessly foreign, without wish or intention to make this their home.

THEIR SECRET SOCIETIES DEFY OUR LAWS.

Another peril resulting from this singular isolation of these people is the formation of what is almost a foreign government in the very heart of the State. Living mainly apart from our people and separated from them by their own intense nationality and their ignorance of our language and laws, they look to their own officers rather than to our authorities for their guidance. The instinct of nationality leads them to shield one another from a breach of our laws, and our courts find it exceedingly difficult to punish criminals among the Chinese unless with the consent of their own authorities. On the other hand it is believed their secret societies inflict the severest penalties for the infraction of their own regulations, and on this point I will quote from the letter of the Rev. S. W. Blakeslee to the congressional commission of 1876, page 1242:

They have a perfect government among themselves distinct from our own, with their laws, their secret courts of trial, and their police, executive, and other officers, the object of which is to perpetuate their race peculiarities, their clanship interests, and their religion, with terrible sanctions of law, even the death penalty, to enforce their regulations.

This difficulty has increased with their numbers, and seems to be entirely beyond our control. The result of all this is so plain I hardly need to recapitulate it. To have two-fifths of our adult male population without sympathy with our people or interest in the welfare of the Government or its institutions or knowledge of its laws, with their affections centered on a foreign government and holding allegiance thereto, all this must breed discord and civil strife. A people to be truly happy must be homogeneous.

We cannot expect absolute unanimity of sentiment, but we must hope for that harmony in variety where all love the country and respect its laws while they have enough in common to form a homogeneous and peaceful people. History is full of examples of the truth of this proposition. When two peoples on the same soil are nearly alike they blend into one harmonious whole, like the Saxon and Norman in England; but where the differences are great, discord and strife must ensue proportional to the difference of sentiment and the persistence of type. The Spaniard and the Moor, the Turk and the Bulgarian, will suggest themselves to every mind as eminent examples of the strength of this position.

I earnestly pray that California may never be the scene of such intestine strife. It would be far better that the development of the country should be arrested for years than that such a disaster should ensue. Material wealth is of trifling value beside the peace and concord of the people. Rather let us wait till the natural spread of our own people shall fill the fertile valleys of the Pacific States with contented settlers, men owning their homesteads, who have come to live and die in the land of their adoption.

CHINESE IMMIGRATION IMPERILS FREE LABOR.

But the most serious and really dangerous phase of this question is its relation to free labor.

In the pioneer days of California, when every idle man could find employment in the mines and there was plenty of work for all, there was no competition and consequently no strife. But as the numbers of the Chinese increased they have gradually crept into many other employments, in some of which they have supplanted American workmen, till to-day they occupy exclusively many fields of labor, especially the lighter kinds of manual labor where women and youths ought to find place.

It is idle to say that these fields are open to all, and free competition should be the arbiter. Competition is impossible. The Chinaman has reduced the necessities of life to an absolute minimum. Without families to support, crowded together in dense masses, reducing the needs of life to a bare animal existence, they can force to the wall any other nationality and yet be rich as compared with their own condition in China. What competition is possible to the American laborer, with his wife to support and children to educate, ambitious to better his condition and afford his family reasonable comfort and enjoyment? Do you wonder that there is agitation and that the workingman chafes when he sees himself crowded out of employment?

LABOR MADE DISREPUTABLE.

Nay, labor itself is degraded and made disreputable. That which must be the very corner-stone of a free republic is discredited and brought to shame. When every man holds a ballot our only hope of safety lies in the contentment and self-respect of the working classes. I appeal to those gentlemen on both sides of the House who have so eloquently set forth the rights of labor to stand by us in this issue and redeem us from a system which degrades labor and drives the workingman to the wall.

It is idle to talk of following the law of nature and letting things regulate themselves. Does the farmer let the laws of nature rule his farm? If the cockle and the chess come up in your grain-fields, do you leave them to fight it out with the grain? In your stables and barns, will your blooded stock maintain itself without care and protection? And are not the lives and happiness of your own countrymen as well worth your oversight?

All our laws for the protection of children, for the education of the people, in aid of the sick and the destitute, recognize the need of a fostering, paternal care of the Government for those who are unable to protect themselves.

Nay, your very revenue laws recognize the principle of protection. You discriminate in your tariff against foreign manufacturers and foreign artisans, and make the prosperity of our own workingmen the excuse for such legislation. Will you not give them the same protection against Chinese immigration as against foreign manufact-

ures! Because the danger is at our very doors is it not all the more real?

A MONGOLIAN STATE.

If you deny us this protection, what shall we do? what can we do? This flood, which has been checked for the past two years by the fierce opposition of our laboring men, will resume its flow. So long as it pays, nothing but restrictive legislation will stop it. On the other hand, the movement of free labor to California will come to an end. Already it has fallen off greatly, and in place of a community of happy prosperous American citizens we shall have an aristocracy of large landed estates worked by a servile race, and perhaps in the end an Asiatic State.

Is this an imaginary danger? The Chinese Empire contains three hundred and fifty millions of population. Science has bridged the Pacific Ocean with a short and cheap transit. China is overstocked with men, and gaunt famine and want are driving them across. The London Times of February 19 says:

It is stated on authority which cannot be questioned that seventy millions of human beings are now starving in the famine-stricken provinces of North China. * * * We cannot doubt that if the Chinese have found their way to America from the comparatively prosperous eastern provinces in thousands that they will pour forth in myriads from the famine-stricken districts of the north as soon as the way is opened to them. * * * The Chinese difficulty may speedily become a greater menace to the United States than ever the negro difficulty was at its worst, for negro immigration was never voluntary and ceased with the abolition of slavery, while if the Chinese tide once begins to flow in force it is difficult to see when and where it will stop.

THEY WILL FLOOD THE EASTERN STATES.

Who now will say the danger is imaginary? Already in California two-fifths of the adult male population is Chinese. Nevada and Idaho are filling up with them to the exclusion of settlers and their families. The advance guard has even crossed the Rocky Mountains and pushed out into several of the eastern cities, and before many years have passed the workingmen of the Atlantic States will begin to feel the sorrows of Chinese cheap labor. Wise men have long foretold this movement, and I find these remarkable words of warning by Sir John Bowring, himself for many years British governor of Hong-Kong, in his work on the Philippine Islands, published in 1859:

The adventurous spirit in China is becoming more and more active. The tens of thousands who have emigrated to California and Australia, and the thousands who have returned with savings which they have deemed a sufficiency, have given an impulse to the emigrating passion. * * * The marvelous exodus of Chinese from their country is one of the most remarkable ethnological circumstances of modern history, and is producing and will produce extraordinary and lasting results.

The experience of the last nineteen years since the publication of this warning has confirmed his singular foresight, and will compel every thoughtful man to consider the consequences of this movement.

CHINAMEN NEVER CHANGE.

I have tried to draw the picture of the evils of Chinese immigration and the perils we may expect from it. I often hear it said this danger is overdrawn, that the Chinaman will settle down by and by, become Americanized, and behave much like the rest of us.

Now, this Chinese immigration has been going on for some hundreds of years to the Indian Archipelago, so that they are freely scattered throughout the East Indies, and of late years have emigrated to more distant countries. It is very difficult to obtain accurate sta-

tistics of this emigration, but the following is an approximate estimate of the number of Chinese in foreign countries:

United States	156,000
Australia and New Zealand	100,000
Singapore and Straits Settlements	105,000
Sumatra and Banca	150,000
Java	186,000
Borneo	250,000
Philippine Islands	50,000
Peru	100,000
Siam	1,500,000
Cochin China, Japan, Hawaiian Islands, Cuba, West Indies, British India, estimated at	300,000
Total	2,897,000

In forecasting the future of California it would be of great use to know the condition of these people, and you will find that in all those countries where they are found in considerable numbers the emigration presents the same difficulties as in California.

SIR JOHN BOWRING'S TESTIMONY.

And here again I will avail myself of the standard authority of Bowring, in whose Kingdom and People of Siam I find the following striking sketch:

The extraordinary diffusion of the Chinese emigrants over all the regions from the most western of the islands of the Indian Archipelago in the Straits Settlements, in Siam and Cochin China, and now extending over a considerable portion of Western America, particularly in California, and reaching even Australia and Polynesia, is one of the most remarkable of the events of modern history and is likely to exercise a great influence on the future condition of man, for the Chinese do not emigrate to mingle with and be absorbed among other tribes and peoples. They preserve their own language, their own nationality, their own costume and religious usages, their own traditions, habits, and social organization.

Though they intermarry with races among whom they dwell, the Chinese type becomes predominant, and the children are almost invariably educated on the father's model, the influence of the mother seeming almost annihilated. And though the Chinese frequently acquire large fortunes, great influence, and sometimes high rank as a consequence of their prosperity, the ties that bind them to their country seem never to be broken, and the tides of population flow Chinawards with every southwestern monsoon, to be replaced by a stronger stream when the monsoon of the Northeast sends the junks on their wonted way to the South.

Twenty-seven years that have elapsed since this was written have not changed the features of the picture further than to substitute the steamship for the lazy junk.

When the Chinaman comes in contact with a race his superior in civilization, as in Australia and the United States, the intermarriage of races ceases, and the isolation becomes more complete. But wherever these singular people are found they are always organized into companies or "hoeys," whose officers hold the main body in strict control, and who always form an interior government within the state which it is impossible for the authorities to suppress, and which in some cases the state has even recognized by law as the easiest way to manage the Chinese. It is also true that in most of these countries it has been found necessary to place them under greater restrictions, while almost everywhere they are subjected to heavier taxes than in America, and all this is just as true in countries like Java, where they have lived for hundreds of years as in California, where a quarter of a century measures their residence. I will now go briefly over this field of inquiry.

SINGAPORE.

In the British colony of Singapore are one hundred and five thousand Chinese, all males, forming a large majority of the population. The turbulence of the lower classes has caused serious alarm, and the management of them has puzzled their colonial legislature. Mr. Dunlop, the head of the police department, says:

The majority of Chinese in this colony are members of some secret society. A member of a "hoey" stands in much greater dread of the society than of the Government. He would carry out the orders of the first and disregard the latter whenever he could do so.

The government tried to repress the disorder by legalizing the better class of societies and employing Chinese police, for these ruffians blackmailed even the wealthy Chinese merchants. "But," says Mr. Dunlop, "I found the detective Chinese were perfectly useless," and the government finally confessed their helplessness in the following language, used by the colonial secretary:

I do not believe that it would be possible to suppress these societies at present by any law which could be passed in a free country.

A suggestive sentence to men who favor Chinese immigration.

COCHIN CHINA.

At the French colony of Saigon the regulations are very strict. No Chinaman is allowed to land unless intending to remain. If he lands—

He is taken directly by the police from the ship to the registrar's office, in presence of the chief of "congregations," or his representative. A ticket is handed to him, available for one year; this ticket mentions his name, age, "congregation," profession, date of delivery, and must always accompany him, and be produced at the request of any policeman whom he may meet on his way daily. The cost of the first year is \$3 and for the ensuing years \$5, for the ticket is to be renewed every year. There is an exception for the merchants, whose licensees supply the ticket, and who besides pay a duty of capitation of 300 francs for the first class.

The "congregations" here spoken of are the equivalents of our "Six Companies," groups of Chinese speaking one idiom, and associated together into a club. The French government recognizes these societies, forces every Chinaman to join one, and then holds the society responsible for his conduct. I will only add that all the Chinese at Saigon are males, and they always intend to return to China to die, even in many cases abandoning families they have raised with native wives. For this the government forbids their owning any real estate.

SIAM AND PHILIPPINE ISLANDS.

In the kingdom of Siam the immigrants are all males, and though many marry Siamese women "and become permanent settlers, there is perhaps no example," says Bowring, "of an utter abandonment of the intention to return to the Flowery Fatherland." They pay a poll-tax of \$3 on entering the country, which is re-collected triennially, "and are compelled to wear a cord round the wrist with a seal, justifying the payment. The richer merchants pay treble amount and are relieved from the badge."

The regulations of the Spanish colony of the Philippine Islands are very similar to those at Saigon. The Chinese are separated by their dialects into groups which choose their own officers. These officers are recognized by the Spanish government and endowed with limited civil and criminal jurisdiction. They also collect the taxes and are held responsible for the conduct of the members. Every Chinaman must be registered on arrival and must join one of the groups. All the emigrants are males and most of them return home to die. They are very heavily burdened with special taxes.

AUSTRALIA.

The Australian colonies long ago found the presence of the Chinese onerous, and tried to relieve themselves of the burden by special taxation. In 1855 the Parliament of Victoria imposed a capitation tax of £10 on every Chinaman entering the colony. In 1865, the number having much diminished, the act was repealed. In 1861 the colony of New South Wales imposed a similar tax, which was repealed in 1867 under similar circumstances. In 1876 the colony of Queensland passed a law of the same character, which was disallowed by the Queen, but in 1877 the colonial Parliament passed another act, requiring every Chinese immigrant to make a deposit of £10, to be repaid to him if within three years he should leave the colony, and should prove to the colonial treasurer that he had never been a charge upon the revenues of the colony. This law was allowed by the home government, and is now in force.

The social condition of the Chinese in Australia is in every respect the counterpart of California—no women, no families, all birds of passage.

JAVA.

With the Chinese in Java I will close this review. In Java they have lived for hundreds of years, longer than our people have lived in America, still they are no more domesticated than in California or Australia, their latest places of resort. They bring no women, and always contemplate a return to China when they have made a competence. They are grouped as elsewhere in societies, and the Dutch have been compelled to recognize these societies and make use of them as is done in Manila to assist in the government of these people.

The officers are given a limited jurisdiction over the members, and are held responsible for their conduct and for the collection of the taxes. These taxes are very heavy, many of them levied exclusively on the Chinese. I cannot better close this sketch than with the language of the council of Batavia, as quoted by Sir Stamford Raffles:

The Chinese being the most industrious settlers should be the most useful, but, on the contrary, have become a very dangerous people, and are to be considered as a pest to the country, for which evil there appears to be no radical cure but their expulsion from the interior.

Sir Stamford himself says:

From their peculiar language and manners they form a kind of separate society in every place where they settle. Their ascendancy requires to be carefully guarded against and restrained.

WHAT IS OUR REMEDY?

What, then, is our remedy? The State of California has endeavored to arrest the flood, but without avail. Her statutes passed to this end have been pronounced unconstitutional and set aside. Even the United States laws against importation of contract labor have proved to be powerless, and we come again to Congress imploring relief. A modification of the Burlingame treaty is suggested, which is certainly desirable, but with the slow workings of diplomatists and the interminable delays incident to this battle of words, years may elapse before even this can be secured; and when the treaty is modified what have we gained? There were fifty thousand Chinamen in California before the treaty was ratified, and practically they enjoyed the same rights then as now.

What we want is instant relief, instant assurance that the tide shall be stopped now. What we want is positive restrictive legislation.

POWERS OF CONGRESS.

It has been urged that this bill would modify an existing treaty and is consequently beyond the power of Congress, but our constitutional power to deal with the matter is very clear. This power has been actually exercised by Congress and has been passed upon by the courts. On July 7, 1798, under the stress of severe provocation by the French, Congress passed "An act to declare the treaties heretofore concluded with France no longer obligatory on the United States," (1 Statutes at Large, 578;) and the power to pass laws in contravention of existing treaties has been repeatedly affirmed by the courts. I will content myself with briefly alluding to the decisions. In the case of *Taylor et al. vs. Morton*, (2 Curtis's Circuit Court Reports,) in 1855, Judge Curtis said :

To refuse to execute a treaty for reasons which approve themselves to the conscientious judgment of the nation is a matter of the utmost gravity and delicacy; but the power to do so is a prerogative of which no nation can be deprived without deeply affecting its independence.

That the people of the United States have deprived their Government of the power, I do not believe.

That it must reside somewhere, and be applicable to all cases, I am convinced, and I feel no doubt that it belongs to Congress.

This decision was reaffirmed by Judge Woodruff in April, 1871. (8 Blatchford, 304.)

The same doctrine is held in 1 Woolworth's Circuit Court Reports, 155, by Judge Miller, in 1867, and finally by the United States Supreme Court in 1870, in the Cherokee tobacco case, 11 Wallace, 616, in which Mr. Justice Swayne said :

The effect of treaties and acts of Congress when in conflict is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution. A treaty may supersede a prior act of Congress and an act of Congress may supersede a prior treaty.

The power of Congress under the Constitution to deal with this matter being clearly established, it only remains to discuss the question whether the bill proposed would be a breach of national faith toward the Chinese government.

NO BREACH OF FAITH TOWARD THE CHINESE GOVERNMENT.

And I maintain that this measure would not be such a breach of faith with the Chinese government as would justify complaint on their part, provided due notice is given them of our intentions in the matter. We simply give them notice that we intend at a future time to modify an agreement of ten years' standing which has worked to our harm. The Burlingame treaty, concluded in a gush of generous sentiment, is singularly one-sided bargain. We gain little or nothing by it, while we guarantee to the Chinaman privileges which they never pretend to grant to us. We open all our ports to them, while they limit us to a few of theirs; we throw open our whole country to their occupation, while in China no American has any right to reside outside a treaty port. Nay, in many parts of China an American cannot even travel without danger of losing his life; and to crown all, we grant these privileges to one hundred and fifty thousand Chinamen while the Americans in China consist of only a few hundred. The bare statement of the terms of the bargain is enough to prove its absurdity and to justify us in declaring our intention to modify it.

NO REAL IMMIGRATION.

Nor do I think the bill is any violation of the spirit in which we accepted the treaty. Under it there is no real immigration, such as our country seeks to encourage. I have shown already that the Chinese

do not come to settle, do not bring wives or families, nor do they ever mean to make this their home; that the larger part of the immigration comes under labor contracts and is hostile to our system of free labor. In short, there is no real immigration under the treaty. On the other hand, so far as the demands of commerce and travel are concerned, the bill allows enough to satisfy their requirements.

CHINESE IN CALIFORNIA HAVE ASKED FOR RESTRICTIVE LAWS.

And lastly, the Chinese themselves will make no objection to the bill. The "Six Companies" of California have repeatedly declared their desire to have us restrict the further immigration of their countrymen. In their "Manifesto to the American public," April 1, 1876, they say, (Gibson, page 301.)

Our six companies have, year after year, sent letters discouraging our people from coming to this country, but the people have not believed us and have continued to come. The necessary expense of these poor new-comers is a constant drain upon those already settled here, so that the Chinese residents of this country are also opposed to this rapid Chinese immigration.

They use similar language in their address to President Grant the same year, and on the 16th of January, 1878, they forwarded a dispatch to Hon. William M. Evarts, Secretary of State, through their agent, in which he says:

SIR: After a full and final conference with the representative Chinamen of California in reference to restricting the further immigration of their people, I am requested to convey to you the following suggestions, which, if carried out by this Government, will most assuredly meet their views and quite effectually stop further immigration.

First. That Congress enact a law entailing a capitation tax of \$100 upon each subject of China landing in the United States.

Second. That the money so collected may be used to return their indigent countrymen to China, with such other restrictions as may seem best to the minds of the humane and disinterested representatives of this great Government.

CHINESE GOVERNMENT WOULD APPROVE.

And we have every reason to believe such a measure as we propose would be regarded with satisfaction by the Chinese government. The moral sentiment of that people has always opposed emigration, and nothing but the extreme pressure of want has ever driven them to leave their country, while the government has steadily discouraged it, manifesting a singular indifference to the fate of its citizens who have abandoned the Flowery Kingdom.

In 1740 the Dutch of Batavia, in a frenzy of fear caused by a revolt of the Chinese on the island, massacred all the Chinese in the city.

I quote from Stockdale's Java:

Much apprehension existed that this would excite the indignation of the Emperor of China, and a letter was written and deputies sent the following year to apologize. The emperor calmly answered that "he was little solicitous for the fate of unworthy subjects, who, in the pursuit of lucre, had quitted their country and abandoned the tombs of their ancestors."

This is an extreme case, but it illustrates their national sentiment toward emigration.

CHINESE GOVERNMENT DID NOT OPPOSE ENGLISH AND FRENCH RESTRICTIVE LAWS.

If there were any doubt on that point it would be laid at rest by the utter indifference with which the Chinese have regarded the restrictive legislation of the English and French colonies, which I have quoted above. In October, 1860, the Chinese government entered into conventions with both these powers, providing among other things for free emigration to the English and French possessions. The fifth article of the English convention is as follows:

As soon as the ratifications of the treaty of 1858 shall have been exchanged His

Imperial Majesty the Emperor of China will, by decree, command the high authorities of every province to proclaim throughout their jurisdictions that Chinese choosing to take service in the British colonies, or other parts beyond sea, are at perfect liberty to enter into engagements with British subjects for that purpose, and to ship themselves and their families on board any British vessel at any of the open ports of China; also that the high authorities aforesaid shall, in concert with Her Britannic Majesty's representative in China, frame such regulations for the protection of Chinese emigrating as above, as the circumstances of the different open ports may demand.

This article, as declared by Lord Carnarvon, secretary of state for the Colonies, contemplated "that all Chinese subjects should have full freedom of entering the British dominions without special restrictions or impediments," and in the teeth of all this the Victoria statute heretofore quoted remained in force till 1865. The statute of New South Wales was passed in 1861, after the convention, and remained in force six years, and the Queensland statute of 1877 has received the royal sanction; each and all of which laws imposed special taxes on Chinese immigrants.

The ninth article of the French convention is as follows:

It is agreed between the high contracting parties that as soon as the ratifications of the treaty of Tien-tsin shall have been exchanged an imperial edict will be issued to the superior authorities of all the provinces of the empire to permit every Chinese who shall wish to go into countries situated beyond the seas for the purpose of settling or seeking his fortune there, to ship himself and his family, if he wishes, on board of the French vessels which may be found in the ports of the empire open to foreign commerce.

It is also agreed that in the interests of these emigrants, for the purpose of securing their entire freedom of action and preserving their interests, the competent Chinese authorities shall join with the French minister in China in making regulations which shall secure for these engagements, which must always be voluntary, such assurance of good faith and security as ought to govern them.

And in defiance of the liberal provisions of this article the French colony of Saigon imposes special taxes and restrictions on every Chinaman in its limits. But the government of China, regarding these restrictive laws with entire indifference, has never made the least remonstrance, and I am sure will care no more for the measure here proposed, but will view it with the same unconcern.

CONCLUSION.

In the beginning of these remarks I tried to give you some picture of the Chinese population of the Pacific States, an army of nomads having neither allegiance to our Government nor sympathy with our people. I showed you how dangerous to a republic must be this hostile element in its midst, like a foreign army encamped among its people.

I warned you of the rise of a power like the secret societies of the Middle Ages, working within our own Government and defying its laws. I pointed out the discredit, peril, and distress this element of population has brought to free labor.

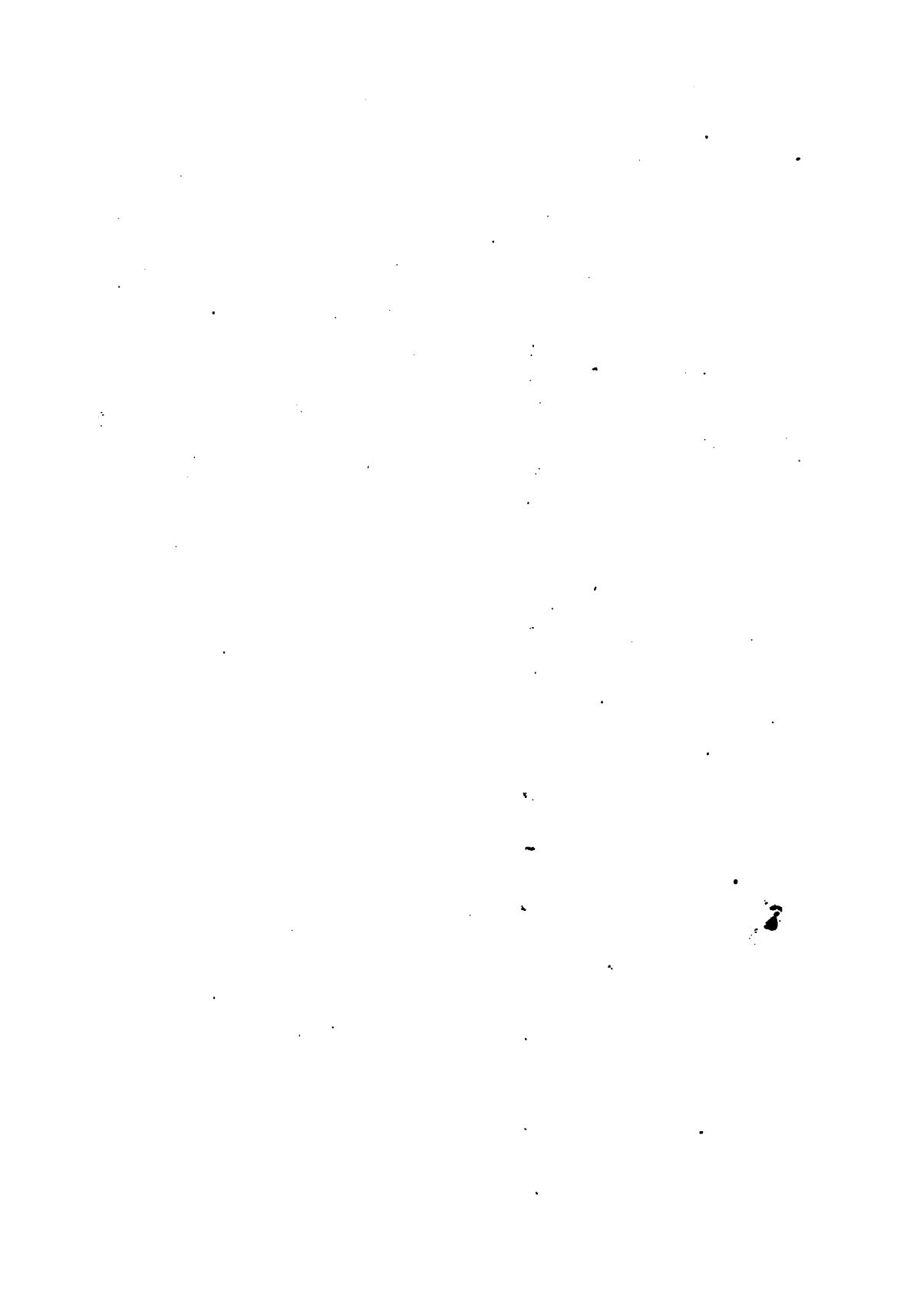
And lastly, I appealed to the experience of other nations who have permitted Chinese immigration and showed you that wherever it has been allowed the same unvarying features mark their presence, and that after centuries of contact with other people in the islands of the East Indies their race peculiarities are just as distinct as they are to-day in California; so that our only hope lies in a law restricting their coming.

We earnestly entreat you not to disappoint us in this hope. Our State is torn asunder with discontent and agitation over this all-absorbing question. Assure the anxious hearts of our people that your sympathies are with us, and let us have peace. You republicans and you democrats make good the promises of your party leaders, over

and over again pledging us your aid in Congress. Men of all parties who hate the memory of slavery relieve our young State from the blight of contract labor.

Champions of industry, as you would maintain the dignity, the self-respect, and the independence of labor, help the workingman buffeting against this flood which threatens to sweep him under. Soldiers, fresh from the horrors of civil war, avert from us the specter, however distant, of intestine strife, of a State divided against itself, and of a war of races.

The safety of the Republic lies in a contented people, loving their country and respecting its laws. No material prosperity can atone for the want of that allegiance. As we cherish the traditions of one flag, one Constitution, and one common country, so we can only work out one common destiny as a united and harmonious people.



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